

THE
PEACE &
SECURITY
MONITOR
The Indo-Pacific



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The Indo-Pacific

Issue 1

June 2024

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The Indo-Pacific

Issue 1

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Foreword

Thank you for taking the time to read the first issue of the Indo-Pacific programme's Peace and Security Monitor. The Indo-Pacific region is the most dynamic and fastest-growing region in the world, home to the half the world's population and a myriad of peoples, faiths and political systems. This brings with it complex human rights, humanitarian and geopolitical challenges, and the ever-present threat of conflict. These issues will be the focus of this issue and the many issues to come.

This issue begins with an analysis of the devastating landslides in Papua New Guinea, which have raised questions about how best to help PNG deal with natural disasters in a changing climate. The team also shines a light on ongoing violence in West Papua, with a focus on abuses committed by Indonesian security forces against civilians and a culture of impunity that needs to be confronted by Jakarta.

Beijing continues to restrict freedom of speech, assembly and expression in Hong Kong through its national security law and recent rollout of controversial Article 23, a thinly veiled attempt to crackdown on foreign influence. In the Philippines, the Marcos Jr administration has not kept its promise to take a new approach to the country's decade-long drug war, with hundreds of Filipinos killed in anti-drug operations and vigilante violence since Marcos' inauguration in 2022.

In South Asia, Pakistan is dealing with a spike in terror attacks that have killed scores of civilians and military personnel. The problem is the Taliban in Afghanistan, who are actively supporting groups driven to destabilise Pakistan. Both parties need to avoid aggression and find a mutually beneficial way of tackling Islamic extremism. The team also takes a deep dive into the ongoing humanitarian crisis in Sri Lanka and the insidious problem of sexual violence against women and girls in India.



Disaster zone: Analysing the humanitarian response to the landslides in Papua New Guinea

Chris Fitzgerald

Key takeaways

- Papua New Guinea has been devastated by its latest natural disaster, with landslides killing thousands and leaving more homeless and lacking food, water and electricity.
- The crisis threatens to get worse, with the United Nations warning disease is spreading due to a lack of clean drinking water and few medical supplies reaching the region. A rapid humanitarian response is crucial to avoid the situation getting worse.
- The landslides have again shown how the country lacks the ability to prevent or adequately deal with natural disasters, relying on the international community to provide aid and disaster relief.
- Papua New Guinea needs help from its neighbours, particularly Australia and New Zealand, to develop adequate disaster response mechanisms and to build infrastructure that is not susceptible, or less so, to natural disasters.

Introduction

Papua New Guinea (PNG) cannot catch a break. Landslides in Maip-Mulitaka in Enga province have destroyed homes and livelihoods and lives have been lost. It is estimated that more than 600 people out of 70,000 people living in the area were killed.[1] The government in Port Moresby and PNG's neighbours have scrambled to respond, but the survivors now live in a disaster zone and face weeks of recovery efforts and natural and man-made impediments to humanitarian relief. This reflects

a trend in PNG, where the occurrence of national disasters is commonplace and where the country level of development, lack of infrastructure and dysfunctional government prevent adequate disaster relief operations. For these reasons, this article will analyse the humanitarian response from the government, neighbouring countries and international aid organisations to determine whether enough is being done to solve this latest crisis and whether lessons can be learned to properly deal with the inevitable next one natural disaster in PNG.



An Australian Aid delivers humanitarian assistance to PNG (AFP, 2024)

The landslide

A massive landslide hit several villages in PNG's highlands in Enga province in the early hours of the morning on Friday 24 May. The region is 600 kilometres north of the capital Port Moresby.[i] At the time, Al Jazeera reported that "authorities say the scale of the landslide is massive" while the governor of Enga province, Peter Ipatas told media there was "loss of life and property".[2]

While there were initial fears the death toll would be in the thousands, the PNG government has revised its death toll to 670 people but there are many still unaccounted for under the mud and rubble. But, like all natural disasters, the effects are far wider reaching, with an estimated 7,800 homeless and warnings over the outbreak of disease due to a lack of clean water.[3] PNG authorities claim up to 8,000 people might need to be evacuated as boulders, earth and trees become unstable and threaten to cause more damage further down the hill where there are more villages.[4] The level of destruction was confirmed by an unnamed official from the PNG national disaster centre, who stated the landslide had "caused major destruction to buildings, food gardens and caused major impact on the economic lifeline of the country".[5]

The humanitarian response

Australia and New Zealand have been the quickest to respond to the PNG landslides, with Australia pledging an initial \$2.5 million in humanitarian assistance and by sending technical experts to provide "incident management assistance, support geohazard assessments and to assist early recovery efforts." Canberra has also provided emergency relief supplies in the form of shelters, hygiene kits and specific supports for women and children.[6] In response to the landslides, the Deputy Prime Minister Richard Marles stated that "as a close neighbour and friend, we will be doing all we can to provide support" to PNG and that "Australia's Defence Force is working closely with the PNG Defence Force to assist with the response. This work is yet another demonstration of the close partnership between our nations and militaries". [7] In a similar vein, Australia's Minister for International Development, Pat Conroy, stated on 27 May that "we will continue to work closely with humanitarian partners and the government of Papua New Guinea to support response and recovery efforts." [8]

New Zealand has responded in a similar manner, pledging \$1.5 million in assistance, including the

deployment of a C-130 aircraft to deliver aid to affected areas and sending emergency management teams to assist people already at work on the ground.[9] New Zealand's Foreign Minister, Winston Peters told local media on 28 May that "ever since learning of the horrendous landslide on Friday, New Zealand has been determined to play our part in assisting Papua New Guinea's response" and that "we are ready to go and provide support to PNG authorities when they are able to receive it." [10] This is not a surprise, with Australia and New Zealand having a long history of assisting PNG with disaster relief and developmental assistance since its independence in 1975.



The aftermath of a massive landslide that claimed lives in Yambali and Kaundak wards (World Vision, 2024).

New Zealand has responded in a similar manner, pledging \$1.5 million in assistance, including the deployment of a C-130 aircraft to deliver aid to affected areas and sending emergency management teams to assist people already at work on the ground.[11] New Zealand's Foreign Minister, Winston Peters told local media on 28 May that "ever since learning of the horrendous landslide on Friday, New Zealand has been determined to play our part in assisting Papua New Guinea's response" and that "we are ready to go and provide support

to PNG authorities when they are able to receive it.”[12] This is not a surprise, with Australia and New Zealand having a long history of assisting PNG with disaster relief and developmental assistance since its independence in 1975.

The United Nations and international aid organisations have also responded and quickly. The UN Resident Coordinator for PNG, Richard Howard, is on the ground working with local rescue teams while the Chief of Mission in PNG for the International Organization for Migration (IOM), Serhan Aktoprak, is reportedly working with local leadership.[13] All UN agencies, including IOM, UNICEF, the United Nations Development Programme, UN Population Fund and UN Women have begun to provide relief supplies, dignity and emergency health kits and tents to effected communities.[14] UNICEF representative Angela Kearney has told media that “we are working closely with Papua New Guinean authorities and community organisations to provide vital support to survivors of this terrible disaster.”[15]

Closer to home, the PNG government has been criticised for what have called a slow response to the disaster. Opposition politicians have accused Prime Minister James Marape and his government of focusing on political survival, rather than an appropriate response to the landslides. This is due to Marape languishing in the polls and dealing with 18 MPs defecting to the opposition in the week after the landslides.[16] The Marape government narrowly survived a motion of no confidence in the PNG parliament in the first week of June, which was only prevented by an apparent paperwork error.[17] PNG politics is notorious for being chaotic in nature and disaster relief for communities in Enga is undeniably affected by political distractions in Port Moresby. Marape did visit Enga at the end of May, declaring he was determined for the government to help in the recovery effort and that “we will do our utmost to fast-track relief work and ensure relief work goes on.”[18]

What needs to be done?

PNG is vulnerable to natural disasters because of its location, topography and climate. The country’s mountainous terrain makes rural areas isolated and without quality infrastructure, and its high rainfall throughout the year leaves it susceptible to landslides. This was evident only last March and April, when landslides killed 21 and 14 people respectively. [19] This intersects with PNG’s high level of seismic activity, which leads to regular earthquakes, and its location in the path of cyclones. In March, a 6.9 magnitude earthquake hit East Sepik province, killing three people and destroying 1,000 homes.[20] Both make landslides more likely and cause damage to infrastructure and makes landslides more likely. [21] Like other developing countries, this has been exacerbated and will continue to worsen with the impacts of climate change. Making matters worse, PNG is reliant on mining to drive its economy, which had led to environmental degradation and, along with heavy rains, has seen increase in landslides in areas close to mining operations. The landslide in Enga was in close proximity to a gold mine operated by Barrick Gold.[22]

The ongoing problem for PNG is two-fold, with the country one of the most disaster prone in the world but one of the least capable to deal



The aftermath of landslides in PNG in March 2024 (Al Jazeera, 2024).

with disasters from a prevention, resilience and disaster preparedness perspective. PNG remains a poor country with poor infrastructure, particularly in rural areas, and its government doesn't have the interest or capability to solve these problems. This has brought a decades long reliance on aid for development and disaster relief, particularly from neighbours Australia and New Zealand, who are obliged to respond after the inevitable and all too common natural disaster in PNG. The solution then is for the Australia, New Zealand and the wider international community to do more to help PNG. The first way of doing so is increasing developmental assistance with a focus on improving regional and rural infrastructure, like paved roads and bridges, to enable local and international relief efforts to access disaster zones more easily. The Australian Infrastructure Financing Facility for the Pacific (AIFFP) is a good example of this as it is designed to respond to critical infrastructure needs in PNG. In welcome news the Australian Government committed \$1 billion in funding for the AIFFP and it is crucial that these funds go towards improving access to isolated communities throughout PNG.[23]



Images from the disaster zone posted on social media (Al Jazeera, 2024).

On top of this, Australian and New Zealand governments and the wider international community need to provide adequate funding for disaster resilience and preparedness to enable local authorities to respond to natural disasters quickly and effectively and lessen the

country's reliance on international assistance every time there is a disaster, which is often. The problem is both Australia and New Zealand have lowered their international aid budgets. New Zealand's 2024 budget revealed that aid spending is in track to fall below \$1 billion by 2026-27, only 0.2 per cent of GDP.[24] Australia is no different, with its aid commitment projected to stagnate for a decade, stalling at almost \$5 billion per year until 2035.[25] While both countries are happy to reactively fund aid and disaster relief efforts when disasters occur, the cutting of aid at a time when PNG needs long-term solutions is counterproductive. This strategy will not solve the underlying problems of PNG's vulnerability to natural disasters and will only result in costlier and more common relief efforts.

Conclusion

Because of its geography, climate and poor level of development, PNG has always been vulnerable to natural disasters and a changing climate will only make these events more common over the coming decades. The response to the deadly landslides in Enga by neighbouring countries and UN agencies has been quick and admirable, but it has revealed a number of challenges and obscures the larger problem of needing longer term solutions to natural disasters in PNG. The PNG governments political distractions have undeniably delayed local relief efforts to affected areas and the country's poor infrastructure has made it difficult for any local or international assistance to reach affected areas. The best solution is to ensure PNG is properly equipped to both prevent and deal with natural disasters and this will only come with more development funding from Australia, New Zealand and the wider international community. Australia in particular has a proud history of helping PNG in times of need and its reduction in aid is a betrayal of that history. It is crucial that all parties help PNG develop to an extent that it can stand on its own and deal with these problems without relying on outside help, which only delays delivery efforts and costs lives and livelihoods.

Policy recommendations

- Australia and New Zealand need to increase aid funding, including to PNG, rather than following the global trend of decreasing. PNG and the wider region is reliant on aid to develop, and climate change only makes this need more pressing. Both countries need to show leadership and help PNG develop and build resilience to natural disasters.
- PNG needs assistance to help solve and mitigate against the specific problems it faces, namely earthquakes and landslides. This is best addressed through a focus on improving infrastructure for regional and isolated communities and improving the country's disaster preparedness and resilience for when disasters inevitably do happen.
- PNG needs to move away from mining practices that harm the environment and make natural disasters, like landslides, more prevalent. The PNG government needs to ensure that all mining projects meet strict environmental standards that prevents the degradation of the land and with it the prevalence of natural disasters.



People gather at the site of a landslide in Papua New Guinea's Enga Province (CNN, 2024).

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Impacts of intensifying violence on civilians in West Papua

Robert Sutton

Key takeaways

- Guerilla warfare in West Papua has been slowly escalating in recent years, with commensurate impacts on civilians caught between rebels and security forces, leading to death and displacement.
- Indonesian military and security forces maintain a culture of impunity and cases of abuse, torture or extrajudicial killings of West Papuan civilians during counter-insurgency operations are not adequately investigated, prosecuted or punished by Jakarta.
- The highly controlled media environment in West Papua by Jakarta has not helped, and has led to a systematic acceptance of human rights abuses and poor conduct of Indonesia's security forces in the region.
- This opacity is highlighted by the recent case of torture of a prisoner by Indonesian troops and subsequent leak of video evidence online. Although the military did respond, with the arrest of troops involved and a public apology, this is an anomaly to numerous other unaddressed allegations of human rights abuses in West Papua.

Introduction

Recent years have seen a steady escalation in violence in Indonesia-controlled West Papua. An expanding guerilla campaign by the West Papua National Liberation Army (or TPNBP) has been met by an intensifying military crackdown in a region already infamous for being tightly controlled. Indonesian control over the territory has been reinforced through a long history of

military repression, and the maintenance of de facto and de jure restrictions on media activity and expression in West Papua, despite the country's own press laws that protect media freedom.[1] Such repression has included both large-scale massacres, as well as a consistent pattern of casual violence and abuse towards the population. Making matters worse, the indigenous Papuan community has come under increasing pressure from developmentalist policies by the Indonesian government, prioritising mining and monocrop agriculture, displacing people from their traditional farming and hunting areas, and has been accompanied by rampant pollution and deforestation.[2] This article will examine the impact that this regime, and the growing violent resistance to it, is having on the West Papuan population, with the recent case of torture of Defianus Kogoya serving as a useful case study as to the Indonesia armed forces (TNI) systematic acceptance of such crimes.



Pro-independence demonstrator next to Police officer in Yogyakarta, Dec 2023 (Devi Rahman, AFP, 2023)

Impact of armed conflict on civilians

The escalation of violence between the TPNBP and the TNI, although slow, has been accompanied by a corresponding impact on civilian life in the region. According to analysis conducted in late 2023, some 76,000 people have been internally displaced by clashes or fears of being targeted by security forces or militants since 2018.[3] On 8 April 2024, one child was killed and another injured after being shot in a hours long gunfight between rebels and Indonesian security personnel. The rebels were conducting a raid on a security post in Sugapa, Intan Jaya Regency, allegedly in an attempt to free a rebel supporter from the authorities.[4] According to Adjunct Commissioner Bayu Suseno, Head of the Cartenz Peace Public Affairs Task Force, one of the two children, 12 year-old Nando Diwitau, died as a result of his injuries, while the other child, Nopina Diwitau, was recovering.[5] Despite Suseno stating that the Task Force was “...still investigating to determine from which direction the shots came”, Indonesian national newspaper Kompas ran with the headline “a child dies from KKB gunfire in Intan Jaya.” 30 April 2024 saw another attack in Intan Jaya, this time in Homeo district, which led to the shooting death of Alexsander Parapak, a 20 year old from South Sulawesi. Suseno blamed the event on a “KKB” group led by Keni Tipagau.[6]



Philip Merhtens with TPNPB fighters (RNZ, 2023)

Additionally, New Zealand commercial air pilot Philip Merhtens is still being held as a hostage by elements of the TPNPB under the command of Egianus Koyoga, more than a year after his abduction in February 2023.[7] The TPNBP has continued to use Merhtens in its media releases, having him deliver statements and requests from the group. Merhtens' most recent appearance in TPNPB media involve him appealing to Indonesian and foreign official's not to conduct airstrikes in the region, stating that the strikes were in fact a danger to his life. TNI Spokesperson Nugraha Gumilar denied that airstrikes were taking place in West Papua, telling the Jakarta Post that the rebels “are always reporting hoax news”.[8] While there is evidence that as recently as 2022 that small drones and helicopters were being used to conduct improvised air raids, it is unclear if that practice is what is being referred to.[9] Although rebel claims are not by themselves proof, the reflexive denial by the TNI fits into a potential pattern when considering their denial, and subsequent acknowledgment, of more clear-cut crimes, which will be discussed below.

As rebel forces grow in capability, and begin to target a wider spectrum of Indonesian forces and infrastructure, the TNI will necessarily utilise greater force in response. Higher intensity fighting will inevitably have greater impacts on civilians, increasing displacement and the risk of being caught between belligerent actors. This highlights the need for diplomatic pressure to resolve the underlying tensions driving the conflict without intensifying the violence.

Accustomed to impunity

Perhaps the most high-profile example of how human rights abuses are normalised in support Indonesia's control over West Papua is the torture of Papuan man Defianus Kogoya after he was taken prisoner by TNI troops, who alleged he was a rebel militant. Especially important is the response of the TNI following the subsequent leaking of video evidence of this event online, providing a rare glimpse into the crimes

committed by soldiers or police. The incident allegedly took place during a military operation in the town of Gome, Puncak Regency, Central Papua Province, on 3 February 2024. Video evidence taken by the perpetrators depicts an ethnically Papuan man, restrained and forced to sit in a barrel filled with water, while men in partial military uniform beat and slashed him with a machete.[10] In its reporting of the incident, The Guardian cited “West Papuan sources” that alleged TNI soldiers also killed a second man by dragging them behind a vehicle. [11]



Still image from leaked footage of torture of Defianus Kogoya (The Guardian, 2024)

According to Indonesian news site Ceposonline, the videos were circulating through Whatsapp groups and generating growing public condemnation, leading rights groups to call for an investigation.[12] Discussion of the videos even prompted remarks from the office of the

President, with Deputy Chief of the Presidential Staff, Rumadi Ahmad, being quoted as saying “while we hold a strong hope that our soldiers are not involved in such reprehensible acts, if proven true, the individuals responsible must be held accountable in accordance with the applicable rules and regulations.”[13] As a result of the sudden public scrutiny, the TNI held a press conference on 25 March 2024 announcing the arrest of 13 soldiers in connection to the incident, as well issuing a public apology. Major General Izak Pangemanan, the regional senior commander, was quoted as saying “we regret what happened, it shouldn't have happened”, and that “we condemn this action. It's a violation of the law and it has tarnished the military's reputation,”...“We apologise to to (sic) all Papuans”. [14]

Despite the apology, the military's statement sought to excuse their soldier's actions. The TNI claimed that three men, the other two being Warinus Kogoya and Alianus Mirok, were arrested after they opened fire on troops responding to an alleged arson threat to a health clinic.[15] The TNI claims that, as the prisoners were being taken to a police station, Warinus and Defianus attempted to escape, resulting to Warinus' death and Defianus' recapture and subsequent torture. [16] According to Pangemanan, Warinus jumped from a moving vehicle while restrained, striking his head, and died en route to a health facility. This is quite possibly the same death as referenced by The Guardian, though a potentially sanitised description. Furthermore, the soldiers had become “emotional” after Defianus allegedly admitted to involvement in previous acts of violence, as well as to the supposed arson plot. [17] The families of Defianus and Mirok have disputed this account, asserting that they were not even involved in the alleged shootout, but instead working on the roof of a house when they were arrested.[18] Certainly the Puncak Regency's Police didn't seem to think they had a case, and had released Defianus back to his family on 6 February.[19] For many Papuan's, the claim that the soldiers involved were merely “rogue” rings hollow in light of the long history

of similar alleged abuses by Indonesian forces in the region, including a number from just the last few years.[20]



Still image from leaked footage of torture of Defianus Kogoya (The Guardian, 2024)

While news of these previous incidents has circulated mainly through activist circles and media, thanks to ongoing restrictions placed on journalists, this is one of the first cases of which incontrovertible evidence has emerged. This likely forced the TNI's hand to make some sort of public response, as they were unable to simply dismiss it as separatist propaganda. Even then, Indonesia media continues to take the labelling of the victims as "KKB members" at face value, even if they condemn the act of torture.[21] The initial dismissals of the leaked footage by Maj. General Pangemanan as fabrications highlights the TNI's tendency to shy away from accountability and underlines the need for a broader investigation into TNI and police behaviour in the region, as called for by activists and civil society.[22]

Further highlighting the standalone nature of the TNI's response is the crackdown carried out by security services on West Papuan protestors who rallied in reaction to these events. The authorities violent dispersal of rallies in Nabire, Central Papua Province, in early April is an example of this. Despite having legally registered for permission, protestors were subjected to arbitrary arrest, beating and firing "rubber bullets" at them.

This is a common theme in West Papua, with the Indonesian authorities having a long history of cracking down on West Papuan protests and any calls for independence.[23]

Prabowo's imminent presidency

The upcoming presidential transition from incumbent Joko Widodo to President-elect Prabowo Subianto may also change the dynamic of the situation in West Papua. During the election campaign in February, Prabowo announced his intention to offer dialogue and an amnesty to separatist rebels, alluding to the relatively successful 2005 policy conducted in Aceh Province.[24] However, this would be contingent on an immediate laying-down of arms and an end to any separatist activism, amounting in effect to a surrender to Indonesian sovereignty.



Prabowo Subianto and VP-candidate Gibbrung Rakabuming at a presidential debate in 2023 (AFP, 2023)

However, Prabowo's long career in the infamous Kopassus Special Forces unit, serving the 'New Order' regime of former President Suharto, involved an extended tour in then-occupied East Timor, during which he was allegedly involved in the murder of President Nicolau Lobato and the 1983 Kraras Massacre.[25] Prabowo was ultimately expelled from the military after turning his skills against pro-democracy activists in 1998.[26] How the proposed amnesty would fare remains to be seen, Prabowo's term does not

begin until October, and no plan has been released publicly. If it were to fail, or even just never go ahead, then given Prabowo's background, the likely outcome is an intensification of state repression and violence towards dissidents and activists in Papua. The TNI is already preparing for this eventuality, with the Ministry of Defence (as of writing still officially headed by Prabowo) petitioning the government for increased funding explicitly in pursuit of counter-insurgency objectives.[27]

Conclusion

The Kogoya Torture case highlights the difficulties in obtaining clear information about abuses in West Papua in the context of Indonesia's media controls. Without the leaked videos, it is almost certain that most of these details would not have been admitted to by the military. To elaborate further, it was unclear if Defianus had even survived. While the Sydney Morning Herald did reasonably suppose that the shared last name of two of the men arrested that was the source of the conflicting reports, the confusion clearly demonstrates the urgent need for free media and journalistic access to the region.[28] In his statement regarding the case, Benny Wenda, President of the United Liberation Movement for West Papua considered the "sadistic brutality on display" to exemplify Indonesian rule over the region.[29] When considering the denial and excuses from the TNI, especially when taking into account the plethora of other allegations against the TNI and police, displays the urgent need for investigation of Indonesia's activities and policies in West Papua.

It is highly unlikely that either West Papuan civil society groups or the armed rebel movement will be able to force Indonesia to make real concessions or achieve independence by themselves. Support or sponsorship from regional powers would almost certainly be needed, however, this would require those actors to compromise their existing economic and geopolitical relationships with Indonesia. As such, little action beyond gentle diplomatic pressure is

to be expected. Without international pressure, Indonesia will continue to exploit the opacity of the situation and maintain its domination over West Papua.

Policy recommendations

- The Indonesian government should take all possible measures to enforce greater discipline amongst the ranks of its soldiers and police, up to and including the prompt and public prosecution of offenders. This should be done to curb the culture of casual violence and abuse towards both civilians and suspected rebel combatants.
- All belligerents in the conflict should take all possible care to avoid civilian casualties as a result of engagements between them, and especially to refrain from targeting them directly.
- The TPNBP element holding Philip Mehrrens should ensure his immediate safe release, and further refrain from taking civilian hostages in pursuit of leverage in negotiations with Jakarta.
- The Indonesian government should ensure that the fundamental human rights of West Papuans are upheld, including their right to freedom of speech and assembly in regard to the desire of some for independence.
- Regional states, especially neighbouring Australia, should utilise diplomatic pressure to compel Indonesia to accept greater United Nations supervision of the conflict area, as proposed by both the West Papuan sovereignty movement and the Pacific Island's Forum.

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Analysing the rise of militancy in Pakistan

Ramsha Ali

Key takeaways

- Militancy has been on the rise in Pakistan. Attacks on civilians and military personnel in Balochistan and Khyber Pakhtunkhwa (KPK) have not only cost lives but also impacted the security and economy of Pakistan.
- The rise in militancy has been attributed to the return of the Taliban in Afghanistan in 2021 and its support for terror groups such as Tehreek-e-Taliban Pakistan. The TTP is ideologically opposite to Islamabad and has carried out attacks on Pakistani soil.
- The attacks by Tehreek-e-Taliban and other groups have led to a deterioration of the once close relationship between Kabul and Islamabad, with the latter demanding the former reverse its policies that have turned Afghanistan into a haven for terrorism.
- The standoff between the two needs to be addressed so that Pakistan can address its security concerns and the human rights violations in both countries can be stopped following the recent resurfacing of militancy. This will only occur through domestic and international cooperation to tackle terrorism.

Introduction

Since the Taliban regained power in 2021, there has been an upsurge in militant operations and terror attacks in Pakistan. Groups like Tehreek-e-Taliban (TTP), Islamic State Khorasan (IS-K), Tehreek-e Jihad Pakistan, and Baloch militant groups continue to use Afghan soil as a base to coordinate attacks into Pakistan. This has been reflected in the recent 60 percent increase in

fatalities from terror attacks since 2021.[1] The TTP has proven the worst to handle from Pakistan's point of view, with the group allegedly supported by the Afghan Taliban in Kabul and allowed to use Afghanistan as a safe haven to escape counter-terrorism operations in Pakistan.[2] As a result, the country's security situation has deteriorated, and thousands of citizens and security personnel have been killed. The already tattered economy of Pakistan has also received a massive blow, and there is an urgent need to upgrade the counter-terrorism strategies at domestic and international levels. This is particularly important if the world wants to avoid the ripple effects generated by militant activities in the region. This article explores the reasons behind the recent resurfacing of militant groups in Pakistan, as well as analysing how Islamabad has cracked down on human rights, with a focus on human rights violations taking place because of terror attacks and counter-terrorism operations. It will also shed light on the policy recommendations to tackle the monster of terrorism and improve diplomatic relations between Afghanistan and Pakistan.



Pakistani President Asif Ali Zardari, far left, and top military officials attend a funeral on March 17 for officers killed in a militant attack (Reuters, March 2024).

Why is militancy common in Pakistan?

This area of Pakistan has always been a hotbed of militancy and Islamic extremism, and both have thrived for various reasons. This includes the regions geography, which has played a primary role in the rise of militancy and Islamic extremism in Pakistan. The Durand Line that runs through Pakistan and Afghanistan, which includes the Federally Administered Tribal Areas (or FATA), has long been a haven for Islamic groups and extremism, with the area isolated from Islamabad and difficult to administer and control. Madrassahs in Pakistan have also played a historical role in fostering radical Islam due to the prevalence of Deobandi ideologies and lack educational opportunities and have attracted young and naïve minds.[3]

The TTP and the recent targeting of Pakistan

Pakistan has battled Islamic extremist groups and their militancy for decades, but recent events suggest a dramatic increase in attacks on Pakistani soil, which is proving a significant threat for Islamabad. The TTP has been the most recent and active militant group in Pakistan's tribal belt. It has made Pakistan's government its number one enemy and aims to implement Shariah Law throughout the country. The group is Islamist and pro-Pashtun and was created in 2007 through an alliance of militant networks from Pakistan.[4] The group is an offshoot of the Taliban and therefore shares its ideology and harsh interpretation of Islam. It is also actively supported by the Taliban in Afghanistan, with a United Nations report in January confirming Kabul is financially backing the TTP, offering the group a haven in Afghanistan and providing it with men and arms to carry out attacks in Pakistan.[5] When the Taliban returned to power in Afghanistan in August 2021, there was also a significant uptick in recruits for the TTP, including

when hundreds of TTP members detained by the former Afghan government and United States forces were released from Afghan prisons, giving the group an immediate boost in manpower. This included senior leader Maulawi Faqir Muhammad, and Mufti Khalid Bulti, the group's former spokesperson.[6]



Pakistan suicide bombing death toll rises to 63 (Al Jazeera, 2024).

The TTP has used its newfound support from Kabul to carry out several recent attacks on Pakistan soil. In the first quarter of 2024, Pakistan witnessed 245 terrorist attacks and counter-terrorism operations, with Balochistan and the KPK accounting for 92 per cent of the total fatalities.[7][8] This includes a suicide bombing near Bisham city in northwest KPK on 26 March 2024 that killed five Chinese nationals and a local bus driver.[9] At least eighteen people were killed in five separate incidents between 16 and 26 March, including three attacks in KPK and two in southwest Balochistan province.[10] More recently in late May, an attack on a military outpost in the Tirah Valley killed five soldiers and seven militants.[11] In response to the attacks, the media arm of the Pakistan armed forces, the Inter Services Public Relations said the attacks were "dastardly acts aimed at destabilising the internal security situation.xii Pakistan has responded quickly to these attacks. Since 2024, more than 13,135 minor and large-scale intelligence-based operations have been conducted against extremists. In the first three months of 2024, a total of 245 terrorist attacks

and military operations took place, while 432 people were reportedly killed and 370 injured.[12]



Attacker rams explosives-laden vehicle into convoy of Chinese engineers in Khyber Pakhtunkhwa hours after Baloch rebels attacked a naval base. (Al Jazeera, 2024).

How else has the rise in militancy affected Pakistan?

Deteriorating relations between Afghanistan and Pakistan

The rise in militancy has caused the relationship between Pakistan and the Taliban to deteriorate, which has had serious consequences. Islamabad has blamed the resurfacing of militancy on the presence of 1.4 million Afghan refugees in the country, along with the Taliban's support for the TTP. According to Zubair Jamali, the Home Minister for Balochistan, Afghans are responsible for "14 out of 24 suicide bombings in Pakistan this year" and has stated that Afghans are "destabilising the country and that it won't be tolerated." [13] The response from Pakistan has been to deport Afghans back to Afghanistan. Amnesty International reports that since September 2023 almost 530,000 Afghans have been forcibly deported from Pakistan, with international human rights organisations like Amnesty International condemning the move. [14] Pakistan has also reacted by carrying out airstrikes on alleged TTP bases and hideouts in Afghanistan, including on 18 March when an airstrike reportedly killed 8 people.

The situation quickly escalated, with the Taliban shelling border areas in Pakistan in response, which wounded four civilians and three security personnel.[14] The obvious victims of these increased tensions between Afghanistan and Pakistan are civilians suffering continuously and indiscriminately from both sides. The Taliban's spokesperson, Zabihullah Mujahid, denounced the 18 March bombings as "reckless" a "violation of Afghanistan's sovereignty" and warned Pakistan of "bad consequences".[15]

Economic repercussions

The increased prevalence of attacks in Pakistan has also had negative economic effects. This includes a decreased rate of growth rate, capital flight, and a lack of foreign investment.[16] In response to the downturn, political economist Yousuf Naza stated that "Pakistan, simply, has run out of luck".[17] Infrastructure projects have also been affected by the instability caused by the increase in terror attacks and the military designating at-risk areas as 'no go' zones.[18] China put its three major hydroelectric projects in Dassu, Tarbela and Diamere Bhasha on hold following the forementioned attack on Chinese nations in March.[19][20][21] This is a major issue for Islamabad, with its economy desperate for investment and long been in a state of decline. It has also done more to damage to Pakistan's relationship with the Taliban, accusing Kabul and the TTP of intentionally targeting its economic interests. An official statement from the the Pakistan armed forces media arm, Inter Services Public Relations, supports this: "strategic projects and sensitive sites vital for Pakistan's economic progress and the well-being of its people are being targeted as a conscious effort to retard our progress and sow discord between Pakistan and its strategic allies and partners, most notably China. Certain foreign elements are complicit in aiding and abetting terrorism in Pakistan, driven by their vested interests. Despite the veneer of innocence, these elements are being continuously exposed as sponsors of terror." [22]



The site of a bomb blast outside the office of an independent candidate in Pishin district, around 50km (30 miles) from Quetta on February 7, on the eve of Pakistan's national elections. (AFP, 2024).

Conclusion

There is no denial the return of the Taliban in Afghanistan has seen a spike in militancy in Pakistan. The spike is aided by the Taliban's support for the TTP and because western Pakistan remains a ripe recruiting ground for militants due to its isolation and prevalence of Islamic extremism. This has resulted in death and destruction, with attacks not only killing Pakistani soldiers but also civilians and foreign nationals. Pakistan's response has only increased human rights concern for both Pakistanis and Afghans. Counterterrorism operations have cost civilian lives and its reactionary response in forcibly deporting Afghans back to Afghanistan hasn't just violated international law but left many without their lives and livelihoods. The economic consequences are also acute, leaving Pakistan even more vulnerable from an economic perspective as potential investors are scared away by violence.

But there is still hope. Restoration of peace and the security in Pakistan can be accomplished with effective counter-terrorism measures. But to achieve this aim, it is important to understand that the militant landscape in Pakistan has become complex and diverse. Pakistan should work on its political stability and ensure effective policies to combat the rise in terror in the region. Weak links of communication between the public

and the state are always advantageous to militant elements and this needs to be solved. To avoid manipulation of its inhabitants by non-state actors, the government should pay heed to the demands and cries of its people, which includes better development and educational opportunities. Pakistan's security forces should also prioritise rebuilding the nation's hopes and beliefs over national security by effectively tackling militancy without costing civilian lives and it should do this in partnership with the international community.

Policy recommendations

- Although there may not be strong anti-development sentiments in many areas, the residents might see globalisation as a threat to their beliefs and culture, and many think that broader roads and dams will accelerate the process of globalisation. This will lead to women's liberation and modernism, which are contrary to regional cultural practices. It is imperative to actively debunk this extremist narrative and educate people about the essence and benefits of development and globalisation. This would reduce the possibility of recruiting volunteers from nearby areas and foster a sense of solidarity against non-state actors.



A suicide blast killed 101 in a mosque in Peshawar (Reuters, August 2021).

- Regional partners like Afghanistan, China, Russia, Iran, and the states of Central Asia should work together to combat terrorism.
- The Shanghai Cooperation Organisation is an important platform to coordinate efforts in this regard and groups like TTP and IS-K should be defunded and tackled effectively.
- The China-Pakistan Economic Corridor and broader development is economically crucial for Pakistan. In Balochistan and KPK, local ownership and involvement and development projects are crucial to meet the demands of the local population from a developmental and economic perspective.
- Pakistan and the Taliban need to find common ground to avoid further violence and reactionary policies, like mass deportations and airstrikes that violate the sovereignty of their neighbours. Pakistan should instead focus on having a close and active dialogue with the Taliban leadership over efficient border control and security, including tackling militancy.
- Pakistan's counterterrorism measures need to be reassessed. It is paramount that any operations avoid civilian casualties at all costs, including through landmines and air and drone strikes that only leads more people to take up arms. Islamabad should work with local communities to tackle terror groups.

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Hong Kong's new security law and its impact on Hongkongers

Esm'eralda Marion

Key takeaways

- The Chinese government continues to restrict the rights of people in Hong Kong, including freedom of speech, assembly, expression and press freedom. Beijing's latest attempt, Article 23, is a potential hammer blow to Hongkongers and their once vibrant media and civil society.
- Article 23 further criminalises espionage, foreign interference, insurrection, sabotage and treason. It allows police to detain suspects without charge, allows for closed door trials and can ban companies from Hong Kong if linked with foreign entities or states.
- There are several examples of Beijing and the Hong Kong government clamping down on dissent and legitimate criticism of government policy, seen with the closure of Free Radio Asia and the prosecution and imprisonment of activists and journalists.
- The concern with Article 23 is Beijing will now target those with connections to foreign organisations or dissidents who have fled abroad through harassment and prosecution. With the mainland having an increasingly strong hold on Hong Kong, this will likely become more and more common.

Introduction

China has spent years gradually monopolizing audacious measures to infringe on Hong Kong's polity and civil society. This has included subduing any public discord like that witnessed in 2020, which led to the arrest of journalists,

lawmakers and pro-democracy activists as well as restricting voting rights and freedom of press and speech. This has continued and escalated in 2024, with Hong Kong's legislators adopting new security legislation, Article 23, which aims to reinforce China's control on the region's rights and freedoms.[1]

Hong Kong officials have contended that the new security law evens security with the rights and freedom protection of residents. Hong Kong's leader, John Lee, has also argued that majority of the rights and freedoms were provisory and an absence of national security implied that freedoms and rights could not be enjoyed.[2] Critics have argued the legislation will be employed to oppress and limit the rights and freedom of Hongkongers not only locally but also internationally.[3] The critics have a point, with the new legislation worsening an already restrictive political and civil environment in Hong Kong, there is legitimate fear of persecution and criminalization of international cooperation on the grounds of collusion with external forces and expression based on the



Hong Kong's new security legislation (Hong Kong Free Press, 2024)

vague adoption of sedition has prompted the closure of several civil society due to safety concerns as the risk overshadow the anticipated results. For these reasons this article will analyse the new security legislation and its consequences for Hongkongers at home and abroad.

Hong Kong's dwindling freedoms: What led to Article 23?

Hong Kong's dwindling freedoms can be back tracked to the island's handoff to China in 1997. Ever since, Beijing has endeavoured to gain more authority over the region thereby igniting mass demonstrations and a subsequent clampdown on freedom of press, expression and assembly. The first attempt was in 2003, when security legislation to outlaw secession, sedition, subversion, and treason against Beijing was tabled and later foiled following mass demonstrations, which pressured the government to change course, albeit temporarily.[4][5] More recently, there was an attempt to allow Hongkongers to vote for the enclave's chief executive, but where all candidates were chosen by Beijing. This led to widespread protests across Hong Kong, named the Umbrella Movement that saw state repression against peaceful protest.[6] Further, 2019 saw the government attempt to introduce national security legislation that would have seen Hongkongers tried in mainland China which lead to an even larger outbreak of protest and unrest in Hong Kong. Because of the protests, the legislation was eventually withdrawn but raised significant questions about Beijing's intentions and police violence against protestors.[7]

Despite events in 2019, the government circumvented the Hong Kong legislature and enforced a new national security law (NSL) in 2020. The NSL outlawed all discord and made it easier to prosecute people for collusion, secession, subversion and terrorism. It also authorized Beijing to set up a security force in Hong Kong, an unprecedented step, and

influence its judicial system.[8] Seen as Beijing's attempt to prevent further unrest and maintain control over Hong Kong, [9] the NSL has so far been employed alongside a colonial-era sedition law to apprehend and silence opposition. Dr. Yan-ho Lai, research fellow at GCAL, argues "the national security law has already silenced dissent and the voices of civil society".[10]



June 2019 demonstrations against the proposed extradition bill (Tyrone Siu/Reuters, 2021)

What is Article 23?

To complement the NSL, March 2024 saw legislators adopt an additional comprehensive security law, Article 23,[11] which further criminalises five offenses: espionage and theft of state secrets, foreign interference in Hong Kong's matters, insurrection, sabotage threatening national security and treason. The legislation gives police the right to detain suspects for up to 16 days without charge, allowed for closed-door trials and organisations and companies can be banned from Hong Kong if they are found to be connected to "foreign forces".[12] The move reinforces China's desire to control and restrict the fundamental rights of Hongkongers thereby obtaining greater control over the region. Critics have condemned the move and state the city's independence at risk.[13] Sarah Brooks, Amnesty International's China Director, states Article 23 will "take repression to the next level".[14]

However, the authorities tried to justify the move by asserting that a considerable number of offences defined in the legislation are equally captured under identical laws in Western countries.[15] But the move undeniably puts more restrictions on Hongkongers in terms of their fundamental freedoms.

How China is using the NSL and Article 23 to crackdown on Hongkongers

Hong Kong's Basic Law stipulates that Hongkongers ought to be assured freedom of assembly, expression and press in addition to being safeguarded in accordance with international law, which constitutes those affirmed by the International Covenant on Civil and Political Rights.[16] However, Beijing continues to use the NSL, and now Article 23 to restrict majority of the aforementioned rights. This includes cracking down on peaceful protest and civil society groups challenging government policy.[17]

In January 2024, Hong Kong police criticised Radio Free Asia for citing "baseless" statements by Ted Hui, who was accused of slandering the police force and petitioning foreign states to place an embargo on China and Hong Kong.



Hong Kong police now have greater powers to crack down on dissent (Amnesty International, 2024).

Hui is a foreign-based activist who the police have put forward a reward of \$128,000 USD.[18] Under the new legislation, Activists stationed abroad can have their passports revoked while those accused of sponsoring external critics, parents included, risk incarceration.[19]

On 25 March 2024, Ma Chun-man, a pan-democrat activist, was the first Hongkonger to have Article 23 retroactively effected on his conviction. He was initially found guilty for inciting secession and was scheduled to be freed 48 hours after the enforcement of Article 23.[20] However, the Chief Executive of Hong Kong, John Lee responded to this case by stating "it's been made very clear that if a prisoner is serving a sentence in respect to his conviction of an offence endangering national security, the prisoner is not entitled to remission." [21] Hence, Mr Ma was to serve an additional 20 months in prison.[22] Freedom of the press was also affected in March, with Radio Free Asia forced to close its doors in Hong Kong due to safety concerns of its personnel.[23] Although the media outlet maintains its legitimate media registration, it does not have full-time employees operating in the city as its foreign affiliation under Article 23 is a point of concern to its ability to function in safety.[24]

On 8 May 2024, a court of appeal reversed a prior lower court verdict that had dismissed the government's request to prohibit a protest anthem, 'Glory to Hong Kong', which is affiliated with the Hong Kong pro-democracy movement attributed to secession.[25] The reversal means the use of the anthem is now punishable by a minimum prison sentence of three years to a maximum life sentence.[26] On 28 May 2024, six individuals were detained under the pretext of sedition. Those detained include, Chow Hang-tung, a pan-democrat activist, who is currently incarcerated on other charges. The group is said to have allegedly used social media to "advocate hatred" against the governments of China and Hong Kong. Hong Kong's security secretary declared "those intending to endanger national security should not delude themselves

into thinking they can avoid police pursuit by remaining anonymous online”.[27][28] Since the posts were published with seditious intent and featured a forthcoming sensitive date, the offence is subject to a seven year maximum sentence.[29]

On 30 May 2024, 14 pro-democracy lawmakers and aspirants of the ‘Hong Kong 47’ were convicted for subversion under the NSL for attempting to “overthrow” the government by conducting unauthorised primaries to select opposition contenders for local elections which would have in turn triggered a “constitutional crisis” if the primary winners had been elected as legislators.[30][31][32][33] Whereas the sentencing is to be conducted on a later date, the offence is punishable by a minimum of three years prison sentence to a life sentence. The ruling, along with the anticipated sentencing, will break new ground for cases implicating activists, journalists, lawmakers and trade unionists that have been declared guilty for carry out their work and engaging in events that are in accordance with their universally protected freedoms and rights.[34]

On 3 June 2024, Chinese and Hong Kong administrations detained several dissenters including Zhan Xianling, Pu Zhiqiang, a human rights lawyer, and Ji Feng, a student activist, prior to the memorial of the Tiananmen Square massacre, an event outlawed from public recognition in China.[35]



The Hong Kong 47, biggest crackdown under the National Security Law (BBC, 2024)

What are the consequences for Hong Kong moving forward?

The antagonistic political climate has had an acute effect on Hong Kong’s civil society. Spurred on by government measures, advocacy has been severely impeded, particularly following the disqualification and resignation of opposition legislators. Organisations, groups and people collaborating with the United Nations and those involved in the policy process and coordination of civil society initiatives, encounter considerable risk under the security law amidst the fading civil sphere and restrictive political environment. For example, Amnesty International’s recommendations tabled in the course of Article 23 consultation process was flagged as one originating from a foreign organization that was ‘anti-China’ and was rejected despite the submission examining the legislation’s conformity with international human rights standards.[36]

Freedom of press is also at risk and the attack in radio Free Asia, on spurious claims of foreign interference, is a good example of this.[37] Article 23 goes further and includes Hongkongers association with foreigners as a form of external influence.[38] Consequently, organizations obtaining financial support are more susceptible to prosecution for their involvement with external forces. What’s more, prolonged detention with both long-term sentences once convicted, and prolonged detention of defendants awaiting trial will become more common in cases of supposed foreign interference by the press and individuals.[39] Additionally, the application of Article 23 retroactively puts current political detainees and those that have utilized their freedoms and rights peacefully at greater risk. [40]

Conclusion

The use of the NSL and now Article 23 has been used to target civil society groups and the free press to stifle dissent and increase Beijing’s

control over Hong Kong. This includes attacks on activists, journalists and protesters, which has seen monitoring, harassment, arrests and the use of the judicial system. This attack on Hong Kong's fundamental freedoms paints a bleak future for Hongkongers. While Beijing would argue otherwise, these attempts to control Hong Kong civil society is counter to Hong Kong's proud history of allowing fundamental freedoms, at least compared to mainland China, and to international legal obligations when it comes to freedom of expression, assembly and the press. Even with external pressure from the international community and protests by brave Hongkongers, this appears to be a long-term and irreversible trend towards repression of independent civil society groups and media organisations.



More power for the Hong Kong police (Candice Chau/HKFP, 2024)

- Representatives of the UN High Commissioner for Human Rights should be allowed to conduct a visitation to Beijing and Hong Kong and not only assess the human right situation but also follow-up on the city's civil society.
- UNHRC should persuade the government to modify its regulatory measures on Hong Kong's civil society through continual engagement with China to establish comprehensive policies that safeguard and warrant the crucial work of human rights defenders. The UNHRC should also urge the administration to report on steps taken to protect civil liberties and human rights as well as prompt the authorities to adhere to its international legal obligations.
- The international community should pressure Beijing to repeal these laws to ensure Hong Kong's one state two systems policy is respected and so Hongkongers can enjoy their fundamental freedoms. The international community also needs to ensure Hongkongers abroad are protected from these security laws.

Policy recommendations

- The international community should lobby for transparency in case proceedings and convictions for individuals charged under Article 23. This will not only be a window into the court's operation but also an avenue to scrutinize judicial decisions. Human rights groups in Hong Kong should be free to do the same without fear of reprisal.

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Forgotten crisis: The realities of Rohingya refugees in Bangladesh

Vittoria Cateni

Key takeaways

- In August 2017, the biggest exodus of Rohingya to Bangladesh from Myanmar started, with most now living in poorly equipped refugee camps. This has resulted in years of displacement, persecution and the violation of basic human rights, which continues to this day.
- Bangladesh has opted for a temporary policy solution for displaced Rohingya, which has led to an ongoing situation where this cohort is denied basic human rights, equipment to live comfortably in refugee camps and a lack of longer-term options like visas to live and work in Bangladesh. This has been done to discourage future refugees and has increased vulnerability and insecurity within the camps.
- Conditions in the camps are poor, due to the lack of support from Bangladesh, including a lack of equipment, foodstuffs and medicine. This has meant natural disasters like cyclones have an acute effect on the camps, worsening the situation for displaced Rohingyadue to their geographic location and high population density.
- Bangladesh and the international community need to do more. After a period of steady decline in humanitarian funding from abroad, there is recent hope that donors are beginning to increase assistance by funding dietary and sanitary needs. However, providing funding is only a short term solution.

Introduction

Almost seven years have passed since the start of the largest exodus of Rohingya, a Muslim minority group from Myanmar.[1] Rohingya have been discriminated against for decades, with limitations on their freedom of movement and severe violations of their economic, social and political rights.[2] Due to this consistent pattern of violence, “the most persecuted population in the world” has migrated, or been forcibly displaced out of Myanmar, with most fleeing into neighboring Bangladesh.[3][4] The largest displacement event was in 2017, when the Burmese military launched a renewed campaign of atrocities against Rohingya in Rakhine state, which forced over a million people to flee the country, with many settling in Cox’s Bazar, Bangladesh.[5][6][7] Seven years later has no seen an improvement in how the Rohingya are treated in Bangladesh.

Camps are overcrowded, aid from abroad has been steadily declining, and natural disasters have only exacerbated these problems.[8] With fighting in Northern Rakhine state expected to lead to more Rohingya fleeing Myanmar, it’s important to understand what are the current living conditions in the camps, and what can the international community do better in light of the worsening of the crisis.[9]

Natural disaster vulnerability

Bangladesh is extremely vulnerable to natural disasters and ranked the 7th extreme disaster risk-prone country in the world.[10]



The United Nations has condemned the latest violence against the Rohingya in Myanmar (ABC, 2024)

The country's geographic location makes it susceptible to the yearly monsoon and its high population density significantly increases the chances of natural disasters. While Bangladesh has been able to develop strong disaster prevention and relief policies, this has not translated to better protection for displaced Rohingya in refugee camps.[11] The latest phenomenon, Cyclone Remal, which hit Bangladesh during the last week of May 2024, had an enormous impact on the lives of people within the camps. According to the International Organization for Migration (IOM), the cyclone has severely compromised the camps, with over 50,000 shelters now at risk of landslides and 7,000 people at risk of flooding.[12] Most shelters are made out of materials like bamboo and tarpaulins, which easily damaged by heavy winds. The camps also have limited infrastructure, including a lack of proper drainage systems.[13][14] Camps are also built in locations particularly prone to natural disasters, which has meant refugees are bearing the brunt of cyclones and flooding. For example, camps around Cox's Bazar have been flattened to accommodate more refugees, making the soil more vulnerable to climate.[15]

The cyclone is not the only phenomenon which has hit the camps in recent weeks. On 1 June 2024, a fire broke out in camp 13 in Ukhiya, which destroyed over 175 shelters and left 1,200 refugees homeless.[16]

This came after another fire a week earlier left more than 4,000 people homeless.[17] Overall, there have been five fires in the Ukhiya camp since the start of 2024.[18] The prevalence of fires have been put down to the explosion of gas cylinders and methods of generating electricity, such as plugs and cables, which are rudimentary, poorly designed and left uncovered. [19] Matched with the high inflammability of building materials, these conditions significantly increase the likelihood of fires.



Cyclone Remal hitting the coast of Bangladesh (The Business Standard, 2024)

A temporary solution

It is undeniable that the conditions in which the Rohingya live have increased the group's vulnerability to natural disasters. One of the main causes of this are the short term, temporary policies of the Bangladeshi government. Bangladesh has made enormous efforts to accommodate the Rohingya in the past decade, but it has also firmly resisted any permanent scenario where Rohingya are integrated into the country's society, insisting that repatriation towards Myanmar would be the best solution. [20] Bangladesh fears permitting Rohingya to settle permanently would spark an increase in the number of people crossing the border into Bangladesh, and would enable the intention of Myanmar's junta to push Rohingya out of Myanmar.[21] There is also a fear that high numbers of Rohingya will spark hostilities between local and host communities, as they struggle for the limited resources.

Furthermore, members of the government have used arguments tying the presence of Rohingya to the increasing amounts of drugs coming into the country.[22] Thus, the government is careful in taking any steps that could lead to citizenship and recognition of Rohingya's refugee status. For example, Bangladesh has adopted a policy of "non-permanent materials", prohibiting the use of any stable construction materials such as bricks, mud and concrete.[23]



Construction of shelters in Rohingya refugee camps (Arab News, 2021)

Bangladesh does not recognise Rohingya as legitimate refugees and is not a signatory to the 1951 Refugee Convention, which has led to the government prohibiting Rohingya from working in Bangladesh. This has meant many Rohingya families are being kept in poverty and pushed towards the informal sector of the economy.[24] High unemployment rates for young Rohingya is one of the leading drivers to their involvement in drugs and armed groups. The latter has become increasingly prominent within the camps in recent months, with members of those groups recruiting or forcing many to fight back in Myanmar.[25][26] This suggests there is a real and urgent need to provide opportunities for Rohingya in terms of education and work, in order to provide livelihoods and also deter some from involvement in illegal activities.

The role of the international community

Bangladesh has taken on the burden of hosting Rohingya, but it is reliant on the international community to meet the needs of more than a million refugees. The international community has mobilized to provide assistance to the affected camps in Bangladesh. For example, the European Union provided 1.2 million Euros in humanitarian aid in the aftermath of Cyclone Remal.[27] Longer term, the international community, to varying extents, has stepped forward since 2017 by providing millions in humanitarian aid, and by deploying technical organizations such as the United Nations High Commissioner for Human Rights (UNHCR) and IOM. But funding and attention to the crisis has been in steady decline since. The latest 2023 Rohingya Humanitarian crisis response plan required around \$875 million to assist Rohingya and this has only been quarter funded.[28] Part of the reason for the decline in funding is due to the Bangladeshi government's behavior. The administration has hindered the organizations' work by limiting their presence in camps to daylight hours and by adopting an approach of securitization towards refugees, constructing fences around camps and maximizing police involvement.[29] For these reasons, donors have been reluctant to provide consistent funding in order to avoid being complicit in a policy depriving refugees of their rights.



Fences constructed around the refugee camps to limit freedom of movement (Human Rights Watch, 2021)

The international community has also been involved in multiple humanitarian crises in recent years, limiting the availability of resources for Rohingya.

However, 2024 has seen an uptick in funding and interest by the international community. May and June 2024 saw the World Food Programme and the European Commission provide funding to increase the food ration per person from \$8 to \$11, with the full amount of \$12 being the goal for August.[30][31] The international community has also strived to provide additional sanitary assistance, seen with WHO implementing a campaign to combat the spread of scabies, with more than 70,000 people reported to be affected by the contagious disease in October 2023.[32] The campaign ran between November 2023 and February 2024 and saw a dramatic drop in the weekly prevalence of scabies.[33] Increasing aid and funding is improving, at least partially, the conditions Rohingya face within the camps. This renewed spark in funding can be perhaps attributed to the worsening of the civil war in Myanmar, as well as the recent natural disasters that have befallen the Rohingya in Bangladesh. However, reactionary, post-disaster aid is not sustainable and doesn't provide Rohingya with a long term solution.



Presence of WHO and other international organizations in Bangladesh for the Mass Drug Administration campaign (WHO, 2024)

Conclusion

Rohingya have been persecuted for decades, and have been forced to flee Myanmar for Bangladesh because of extreme violence.

However, living conditions for Rohingya in Bangladesh are poor, and leave people facing serious humanitarian issues, made worse by natural disasters. These problems are made more acute through the unwillingness of the Bangladeshi government to provide a permanent solution to the problem and an equal unwillingness by the international community to adequately seek solutions beyond aid. With the number of Rohingya refugees fleeing Myanmar expected to exponentially grow in the coming months, humanitarian aid alone cannot be regarded as a sustainable solution to the crisis. The world needs to work with Bangladesh to solve the problem in the long term, meaning ending the conflict in Myanmar, and working with Bangladesh to re-home Rohingya in Bangladesh or a third-party country.

Policy recommendations

- The best solution is solving the problem at its source, which is the treatment of Rohingya in Myanmar and the ongoing civil conflict. The international community needs to hold Myanmar's junta accountable through the International Court of Justice, like the Gambia vs Myanmar case, and through economic sanctions.
- Bangladesh should be supported by the international community in hosting Rohingya refugees. Third-country repatriation could be a solution to re-home thousands of Rohingya and the onus needs to be on regional partners and western governments to accept refugees. Failing this, the international community needs to remain focused on adequately funding their humanitarian needs, particularly when there are natural disasters, and seeking to open a constructive debate on how to move forward.

- The international community should also maintain its support towards Bangladesh, and continue on the recently-adopted path of renewed attention. Innovative solutions, looking beyond aid, could include incentives such as the expansion of trade agreements between Bangladesh and OECD countries, in order to incentivize Bangladesh to adopt a more inclusive approach towards refugees.
- In the short-term, it is important to focus on policies that can help with the situation in Bangladesh. First, the Bangladeshi government could engage in policies to integrate refugees within the labor market, which would decrease poverty and the level of criminality within the camps. The integration of refugees within the labor market could also help raise productivity and stimulate Bangladesh's economy.

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Sri Lanka's humanitarian crisis: An unfolding tragedy

Ojus Tyagi

Key takeaways

- Sri Lanka's economic problems have troubled the island nation for years and has escalated into a severe humanitarian crisis. This has led to acute food insecurity, widespread unrest, and ongoing resource shortages, particularly in healthcare.
- The humanitarian crisis is far reaching and has disproportionately affected vulnerable groups in Sri Lankan society, including those in rural areas, the existing poor, and younger adults attempting to find employment.
- The government has attempted to solve this crisis through the privatization of state-owned entities and increased taxation. But these measures have raised concerns about whether they will solve the problem or exacerbate existing inequalities for the already economically disadvantaged.
- Addressing the humanitarian crisis requires a comprehensive and coordinated approach, including immediate humanitarian assistance, economic reforms, and debt restructuring, climate change adaptation, inclusive policy-making, strengthening democratic institutions, and international cooperation.

Introduction

Sri Lanka, an island nation once hailed as the 'pearl of the Indian Ocean' has been grappling with a multifaceted humanitarian crisis, stemming from a severe economic downturn that began in 2019. The crisis, initially fueled by poor economic management through ill-

advised tax cuts and a poorly managed shift to organic farming intersected with and a series of events. These included the 2019 easter bombings, the COVID-19 pandemic, and Russia's invasion of Ukraine.[1] The crisis has manifested itself in various forms, including food insecurity, poverty, loss of livelihoods, and attacks on the human rights of Sri Lankans.[2] The government in Colombo has attempted to solve the crisis through better economic management and deals with neighboring states and organisations like the International Monetary Fund (IMF). But concerns remain that the thousands of Sri Lankans already affected



A man counts money at a marketplace in Colombo, Sri Lanka, October 21, 2022 [Human Rights Watch 2023]

will not see any benefits due to the potential solutions being reliant on privatization and with few policies aimed at long term solutions when it comes to alleviating poverty.[3] For this reason, this article will analyse Sri Lanka's ongoing humanitarian crisis and the steps the government is making to solve the problem.

The economic crisis and its humanitarian impact

Sri Lanka's economic downturn led to high foreign debt, high inflation, shortage of necessities, declined foreign currency reserves, devaluation of the currency, and several lockdowns during the pandemic, which contrarily affected the country's economic growth.[4] These issues have had far-reaching consequences, affecting every aspect of society. A 2022/2023 United Nations Development Programme (UNDP) survey found that 55.7 per cent of the population, or 12.34 million people, are "multidimensionally vulnerable" across various dimensions due to the crisis.[5] Shockingly, 82 percent of those found vulnerable lived in rural areas, highlighting the disproportionate impact on the nation's rural population.[6]



Healthcare has also been affected by the ongoing humanitarian crisis (The New Humanitarian, 2023)

According to the World Bank, three-fourths of households have limited their expenditures or changed their diets in response to higher living costs.[7] Food security deteriorated again in the second half of 2023, with 3.9 million people being moderately food insecure and over 10,000 households facing severe food insecurity.[8] Making matters worse, the impact of La Niña has been felt across various agricultural products, with the price of carrots, for example, plummeting from a staggering Rs. 2,000 per kg in January 2024 to Rs.360 by the end of the first week of March.[9] Dr. Kumari Rathnayake, Director of the Department of Agriculture Natural

Resources Management Centre, has warned the southwest monsoon in June and July 2024 could result in above-average rains, further impacting crops.[10] The food crisis has caused widespread hardship, including intersecting with increased poverty rates, with 25.9 per cent of the population living below the poverty line in 2023, compared to pre-COVID levels of 11.3 per cent in 2019.[11] People grapple with inflated prices for essential goods, facing long queues to secure basic supplies.

How is the government solving the problem?

Capitalisation and privatisation woes

The Sri Lankan government has attempted to solve the crisis by focusing on an economic solution. But the measures have drawn criticism, with many accusing the government of capitalizing on the crisis and exacerbating the plight of the less affluent. To meet the conditions set by the IMF for the March 2023 bailout, in which a \$3 billion package was planned, the Wickremesinghe administration has implemented significant reforms, including unpopular measures such as major tax hikes and debt restructuring. These tax hikes have affected the daily life of the people and plunged them into utter poverty. The government has also embarked on a path of privatisation, with the first target being Ceylon Petroleum. The cabinet has approved licenses for foreign companies like Sinopec, United Petroleum Australia, and RM Parks of the US, in collaboration with Shell, to enter the fuel retail market, effectively privatizing a significant portion of the state-owned Ceylon Petroleum.[12] This move has raised concerns about the impact on the livelihoods of thousands of employees and the potential for further hardships for the economically disadvantaged. These conditions are leading people to seek better opportunities by migrating to foreign countries

Additionally, the government has implemented a significant increase in taxation, including extending the value-added tax to payees and raising the value-added tax rate to 18 per cent, effective from January 2024.[13] These measures, while aimed at fiscal consolidation, have the potential to further strain the already-burdened populace, raising concerns about their impact on the most vulnerable segments of society. This has led to protests, university staff across the country protesting a recent tax increase on their salaries.[14]

Geopolitical narratives

To solve the economic and humanitarian problems Sri Lanka faces, the government is trying to carefully manage its relationships with its neighbors. This includes focusing and revitalizing ties with its South Asian and East Asian neighbors in an attempt to replenish its financial coffers.[15] For example, in February 2024, Sri Lanka signed a Free Trade Agreement with Thailand and is dealing with India and China to obtain economic relief. In March 2024, Sri Lankan Prime Minister Dinesh Gunawardena visited China for a six-day visit, with discussions revolving around revamping and rebuilding the bilateral relationship with Premier Li Qiang and Chinese President Xi Jinping.[16] China is crucial



The Sri Lankan Government had extended the Sri Lankan Airlines privatization till January this year [SAV, 2023]

to Sri Lanka not just economically but also as a way to counterbalance India during times when ties are not always cordial. Also in March, a delegation from Sri Lanka traveled to London to meet with several investment funds that own the country's government bonds, which are valued at over \$12 billion.[17] The delegation's negotiations with investment funds holding Sri Lankan government bonds could lead to debt restructuring or relief, potentially freeing up resources for social welfare programs and economic recovery efforts that would directly benefit the Sri Lankan people. However, it remains to be seen whether the government would be interested in policies like this after being focused on privatisation.

Conclusion

The economic and humanitarian crises in Sri Lanka are now years old but still present a multifaceted and complex problem in need of a solution. The economic downturn has had far-reaching consequences, plunging millions into poverty and increasing food insecurity, particularly in rural areas. The situation has been further exacerbated by climate change and extreme weather events, as well as government policies that have prioritized fiscal consolidation over the well-being of the people. While the challenges facing Sri Lanka are daunting, there are glimmers of hope on the horizon. The IMF has acknowledged that Sri Lanka's economic reform program is starting to work, and the country is expected to experience positive growth in 2024 as private consumption picks up from a low base. But the IMF also claims that continued reform efforts are needed for people to feel the benefits.[18] The intervention of the IMF has led to modest improvement in the previously difficult living conditions faced by many Sri Lankan people. Overcoming corruption and inefficiency will be crucial for a sustainable recovery. The IMF stresses that unethical practices such as corruption, unjustified tax breaks, and unfair procurement processes result in increased financial burdens for the entire population. These

practices lead to higher taxes and elevated costs, with the most severe impact falling on society's most vulnerable members.[19] Transparency, accountability, and good governance must be prioritised to ensure that economic reforms and development initiatives truly benefit the people of Sri Lanka. Due to the current economic crisis, Sri Lankans who were impacted by the war are once again facing significant challenges in fulfilling their basic humanitarian needs, including food, education, and healthcare. The road to recovery for Sri Lanka will be long and arduous, but with a comprehensive and coordinated approach, involving all stakeholders and addressing the multifaceted challenges, the country can emerge from this crisis stronger and more resilient.

- The government should engage in inclusive policymaking, ensuring that the voices and needs of all segments of society, including minority communities, are considered in the decision-making process. This will help prevent discriminatory policies and promote equitable development. More broadly, Sri Lanka must strengthen its democratic institutions, uphold the rule of law, and protect civil liberties, including freedom of expression and association.

Policy recommendations

- The international community, including unilaterally and through the United Nations, should scale up its humanitarian efforts to provide immediate relief in the form of food, healthcare, and necessities to the most vulnerable populations. This needs to be targeted at those most affected, such as Sri Lankans living in rural areas.
- The Sri Lankan government needs to continue to work closely with the IMF, bilateral creditors, and bondholders to restructure its debt and implement economic reforms that prioritize inclusive growth and social protection programs. All economic reforms should focus on rebuilding and safeguarding the economy while also focusing on those most affected.
- Sri Lanka needs to safeguard its agriculture-dependent economy by investing in climate-resilient agriculture, disaster preparedness, and sustainable development initiatives to mitigate the impact of extreme weather events and ensure long-term food security. The international community, particularly developed states in the Indo-Pacific, can play an important role here.

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The impact of Myanmar's mandatory conscription law on the country's humanitarian crisis

Noor Afrose

Key takeaways

- On 10 February 2024, the State Administration Council of Myanmar announced the implementation of the People's Military Service Law, also known as the conscription law. The law mandates the youth of Myanmar to serve in the junta armed forces.
- The new law is designed to strengthen the Junta's military position after recent setbacks against separatist groups, but it has had negative effects, including exacerbating Myanmar's already dire human humanitarian crisis and pushing young people to flee abroad legally or illegally.
- This broader situation in Myanmar demands prompt intervention from international organisations like the United Nations and the Association of Southeast Asian Nations (ASEAN) through targeted sanctions, immediate ceasefire, and assigning envoys to offer humanitarian aid.

Introduction

In February 2021, Myanmar entered the darkest phase of its history when the Myanmar military staged a coup, turning the country into a civil war zone.[1] Subsequently, the military has made every possible effort to gain dominance over the nation through the implementation of ruthless strategies, including mass killing, arbitrary detentions, and displacement of millions. Nevertheless, the circumstances have shifted since October 2023 after the initiation of 'Operation 1027' by the Arakan Army, Myanmar National Democratic Alliance Army, and Ta'ang

National Liberation Army.[2] Operation 1027 has seen strategic positions seized and junta commerce routes disrupted. The Junta has suffered significant losses in northern Shan State, including a drastic reduction in its military strength, from 500,000 men to 150,000 or less. [3] This has put a serious strain on the Junta's resources and capabilities and has led to the rolling out of the new conscription legislation. Against this backdrop, this article will analyse the impact of the conscription law on the humanitarian crisis in Myanmar and analyse the international response, and propose recommendations to avert further humanitarian catastrophes.



Trainees of the first batch of military conscripts have meals at an opening ceremony for their training session at a military compound (The Diplomat, 2024)

Overview of the conscription law

On 4 November 2010, the military regime in Myanmar introduced a conscription law before elections.[4] However, it remained inactive during the civilian government's rule from 2011 to 2021.[5] Three years after a coup on 10 February 2024, Myanmar's military regime decided to enforce the conscription law. Major General Zaw Min Tun, the military government's spokesperson, stated in February that the law was activated to "prevent war" by "showing

strength to enemies.”[6] The conscription law mandates individuals aged 18 to 35 for men and 18 to 27 for women to serve a minimum of two years in the military, extendable to five years when the state is under emergency.[7][8] Professionals like doctors and engineers can be drafted up to 45 years for men and 35 years for women.[9] Violations of the conscription law may result in up to 3 years of imprisonment, a fine, or both.[10] To meet the annual goal of recruiting 60,000 young individuals, the first batch of 4,300 recruits began their training in March 2024 in 15 military schools nationwide.[11] In the second week of May, the Junta proceeded to gather recruits for the second batch, however, the exact number of recruits was not disclosed. [12]

Youth migration and humanitarian crisis

The United Nations Special Rapporteur for Human Rights in Myanmar, Tom Andrews, has said that the military in Myanmar has used threats of violence, including the destruction of towns, to recruit young people as part of the latest conscription drive, creating an environment of fear.[13] According to the Burma Affairs and Conflict Study, since the Junta's conscription law was enacted, approximately 85,000 young men and women have made efforts to leave Myanmar and escape to neighbouring countries, while another 3,500 people have sought refuge in areas liberated by resistance forces.[14] It has also been reported that at least 1,000 young people are forming long daily queues outside the Thai embassy in Yangon.[15] In February 2024, two women died in a stampede at the Myanmar passport office due to the rush of people applying for passports to flee military conscription.[16] Furthermore, young individuals attempting to avoid conscription by illegally crossing the border are regularly being arrested in the Thai provinces of Kanchanaburi and Tak.[17] Following interrogation by Thai immigration authorities, undocumented Myanmar citizens are typically repatriated,

exacerbating their vulnerability and making them targets for the junta.[18] Making matters worse, in May 2024, the junta announced that it would prohibit eligible males from traveling abroad for employment if they are subject to military conscription, prompting desperate measures like bribery to flee the country.[19][20]



People gather outside the visa office of Thailand after the announcement of conscription law (The Irrawaddy, 2024)

Brain drain's impact on the economy

Myanmar's already weak economy is facing ongoing challenges and has been exacerbated by the new law. A recent study by the Asian Development Bank has revealed that increased armed confrontations in various areas have unsurprisingly harmed the growth of GDP.[21] It is anticipated that actual GDP growth will continue to be sluggish, standing at 1.2 per cent in 2024 and 2.2 per cent in 2025.[22] Furthermore, inflation is anticipated to remain at a high rate of 15.5 per cent throughout 2024.[23] Experts have raised concerns about the potential emigration of highly trained individuals and young people due to the conflict and the recent conscription drive.[24] A recent report by regional media outlet Than Lwin Times disclosed that since the Junta implemented the conscription law, approximately 30 to 50 percent of workers have either left or are preparing to relocate overseas. [25] The Institute for Strategy and Policy - Myanmar has observed this could adversely

affect investment endeavours and disrupt production, leading to a substantial rise in loss of employment and a decline in growth across multiple sectors.[26] Additionally, professionals such as doctors along with students, are emigrating from the country in large numbers posing a threat to the well-being of the general population.[27] The ongoing decline in the economy combined with the loss of thousands of young and education Burmese will likely lead to a worse situation from an economic and humanitarian perspective.



Conscription Law Pushes Myanmar Business to the Brink (Burma News International, 2024)

Impacts on women and children

The conscription law is exposing women and children to vulnerable conditions. In May 2024, a report released by the non-governmental organisation known as The Human Rights Foundation of Monland (HURFOM) highlighted the negative impact of the law, which has seen an increase in child labour and forced children to abandon schooling. With the enlistment of the first and second cohorts of young people into the military, and youth fleeing abroad, there are vacancies in the labour market that need to be filled and this has seen children employed to address the shortage. HURFOM has highlighted a concerning increase in the number of underage children in Mon State being compelled to work and provide for their families in various establishments such as restaurants, tea shops, bars, bike repair shops, and grocery stores.[28] Additionally, these young workers are being exploited by the service industry, with their wages being unfairly taken advantage of.[29] Although

women were exempted from mandatory military service during this recruitment period, the law still impacts their lives.[30] The impact on women's lives arises from the conscription law stating that married women are not required to enlist in the military.[31] Consequently, some women are choosing marriage to avoid conscription.[32] Additionally, there is a potential risk that parents may resort to child marriage to protect them from military conscription. This shows the new law has had significant flow on effects that are impacting Burmese society.

Forced Rohingya enlistment

Despite being recognised as stateless under the Citizenship Act of 1982, Rohingyas have been forced to join the military and combat Rakhine militants. According to Human Rights Watch, the Myanmar military has forcibly recruited over 1,000 Rohingya Muslim individuals from refugee camps in Kyaukphyu, Sittwe, Maungdaw and Buthiduang townships since February 2024.[33] Family members and victims recount being forcefully taken during night-time raids, enticed with false promises of citizenship benefits, and compelled with the threat of being arrested, or subjected to physical abuse if they refused or attempted to escape.x[34] Furthermore, according to the report, they are seeking to recruit kids who are below the age of 15 which contravenes both the national conscription law and international law.[35] The rigorous two-week training and recruitment endeavours led to casualties as individuals faced intimidation, and mistreatment, and were deprived of access to food, worsening their vulnerability.[36] After completing their training, a group of 100 Rohingya persons from the Sittwe camp were sent to the front lines for battle, resulting in the death of 5 individuals.[37] Furthermore, the overall situation is posing a threat to the Rohingya camps in Bangladesh, as the military's forced recruitment drive may prompt more Rohingyas to flee to Bangladesh.[38]

International response

In response to the conscription law, numerous global organisations have voiced their concerns. In March, a collective of 397 civil groups from various countries, urged the UN Security Council (UNSC) to act and called for a resolution and economic sanctions against the Junta.[39] During a UNSC session on 4 April, members of the council and other UN members raised concerns on the matter.[40] Notably, the representative from Japan called upon the Council to back ASEAN's centrality and advocated for the ASEAN Chair and its Special Envoy to engage with all relevant parties in Myanmar.[41] Despite the discussions at the UNSC briefing and the expressed concerns from representatives, both the UNSC and ASEAN have refrained from appointing a UN Special Envoy or enforcing sanctions, showcasing a lack of political will from the global community.



Rohingya in Myanmar's Rakhine state undergo weapons training led by junta military personnel (Berna News, 2024)

Conclusion

While conscription laws are not prohibited by international law, the introduction of such legislation in Myanmar during a period of heightened civil conflict carries a significant risk of worsening the existing humanitarian crisis.[42]

Forced conscription poses a direct threat to the safety of young individuals, leading to serious violations of their basic human rights, increased mass displacement, and heightened vulnerability of girls to early marriage. Therefore, it is imperative for global communities, including the UN, ASEAN, and various human rights groups, to prioritize efforts to minimize the negative impact of this conscription through diplomatic means, the provision of aid, and the promotion of peace-building initiatives aimed at fostering stability in Myanmar.

Policy recommendations

- There should be an immediate ceasefire mediated by the international community to halt conscription and violence, providing temporary peace. The UNSC and ASEAN could and should play significant roles in mediation. This may involve appointing a special envoy or establishing a peacekeeping mission to oversee the ceasefire implementation.
- To ensure the safety of the young individuals seeking refuge from neighbouring countries, particularly the Thai government, they must cease their practice of forcibly repatriating them. To achieve its goals, UNHCR Thailand must collaborate closely with the Thai government and offer both accommodation and humanitarian assistance.
- It is crucial to impose targeted sanctions on the Myanmar Military officials responsible for imposing abusive laws including travel bans, asset freezes, and restrictions on financial transactions to exert international pressure. Additionally, ASEAN countries can issue joint statements condemning Myanmar's military for its conscription law, offering incentives like trade benefits and diplomatic support to member states that cooperate in condemnation efforts. Simultaneously, they can impose penalties such as trade restrictions on nations that fail to comply, thereby incentivizing collective action.

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Downstreaming policy: The root cause of Indigenous clashes in Indonesia's Southeast Sulawesi Province

Muhammad Reza Zaini

Key takeaways

- The Indonesian government continues to pursue a strategy of economic growth through mining and forestry as part of its downstreaming policy. The policy has had negative consequences for indigenous groups throughout Indonesia and has led to environmental degradation.
- This is particularly the case in Indonesia's Southeast Sulawesi Province, which has seen increasing vertical and horizontal conflicts amongst indigenous communities against state apparatuses, the authorities and workers. This is despite Jakarta having comprehensive laws on Indigenous rights.
- Clashes between the government and Indigenous communities in Sulawesi has been an increase in criminalisation for Indigenous people, which reveals a trend where Jakarta has decided to prioritise economic gain over vulnerable and at-risk groups. This is a policy that needs to be reversed.

Introduction

Indonesia's downstreaming policy, popularly known as 'Hilirisasi' in Indonesian, was enacted in 2013 and prohibits the export of raw materials in wide varieties of industries, but most notably the mining industries. The implementation of the policy requires Indonesia to process its mining products within the country after the extraction process. The primary intention of the downstreaming policy is to create jobs and stimulate economic growth, meaning Indonesian mining and plantation oligarchs



A nickel mine in Indonesia (East Asia Forum, 2024)

tend to support the initiative. President Joko Widodo, in power since 2014, has been a strong advocate for this policy as part of his ambition to position Indonesia as a major world economic power.[1] However, the policy has resulted in a more aggressive resource extraction activity, particularly in indigenous lands, as seen in the exploitation of nickel mines in Indonesia's Sulawesi. The Indonesian government's implementation of the policy has led to increased vertical and horizontal conflicts among indigenous communities, especially in Southeast Sulawesi Province. The conflict and violence are manifested through the rising numbers of criminalisation against Indigenous leaders as well as the rising numbers of violent clashes involving the Indigenous communities. This article will analyse how the downstreaming policy is affecting indigenous communities in Sulawesi and provide policy recommendations on how to solve the problem.

Indigenous lands as economic resources

In Indonesia, Indigenous land is often perceived as a valuable asset for development, with this

land seen as nothing more than a resource to fuel the economy. This focus on development can be traced back to the legacy of Dutch colonialism in Indonesia, where anthropocentric resource extraction was the core principle of development and the policy continued post-independence after 1945. In today's global economy, the Indonesian need for anthropocentric resource extraction will most likely increase but this often results in the demands of Indigenous communities being disregarded. This colonial-era mindset is the basis for the current downstreaming policy.

Indonesia's Southeast Sulawesi Province has been the centre of the nickel production.[2] A 2024 news article by Jakarta Globe reports that Indonesia, which holds 15 per cent of the global nickel reserve, will be a valuable producer for the raw material to the global market. The growing demand for nickel in the international market means that nickel mining is the priority sector for the downstreaming policy, which means more mining companies. More mining companies means that some of them will use Indigenous lands as their mining sites.

Many Indigenous legal frameworks have been dismantled in the name of development by the government and corrupt local officials with ties to mining and plantation interests have further undermined Indigenous protection during President Widodo's administration.[3] This has led to new mining fields being established without consideration for local boundaries or the environment. In 2023, the regions Indigenous fishermen reportedly experienced reduced catches and did not receive any compensation from the government.[4] While some mining companies have offered financial compensation to the locals, although it is often deemed insufficient.[5]

The absence of a legal resolution between the nickel industries and Indigenous communities in Southeast Sulawesi Province. In February 2024, Baharuddin Maranai, a prominent Indigenous leader representing the Mopute people,

highlighted that the nickel mining company has not shown any intention to engage in discussions with the Indigenous leaders regarding a legal settlement. Maranai mentioned in an interview with Project Multatuli that "the Indigenous communities were never invited to negotiate regarding plans to develop the nickel mining area. This is a violation of the principle of indigenous peoples' rights to be part of the decision-making process based on transparency..." Maranai lodged a complaint with Indonesia's Human Rights Commission in February 2024, and during an interview with Project Multatuli, he emphasized that confrontation remains the sole recourse to voice their needs.[6][7]



Outgoing President Joko Widodo has urged his successor to continue Indonesia's downstreaming policies (Reuters, 2023)

Criminalisation and violence against Indigenous communities

The downstreaming policy has led to clashes in Sulawesi between the Indonesian authorities and the criminalisation of Indigenous people protesting against mines and deforestation. This has particularly been the case since 2023 due to an intensification of nickel mining in Sulawesi, resulting in no compensation for the local people and environmental neglect by the government. [8] This includes In January 2024, with clashes occurring in Southeast Sulawesi Province's Konawe District that saw 32 people arrested,

accused of obstructing the company's mining activities.[9] The 32 Indigenous locals were taken to the police as they were considered obstructing the mining activity of the company. The clashes were related to nickel mining activities conducted on Indigenous lands, leading to increased conflicts between the government and Indigenous communities. 29 people on Wawonii Island were also arrested after protests against local mining sites.[10] More recently, clashes in Konawe Utara District saw 13 people arrested while Kompas has reported members of a similar group protested against a nickel mine in February 2024.[11] In May 2024, the nickel downstream partnership in the Konawe Industrial Area resulted in the logging and removal of the Mopute Traditional Forest.[12] The incident was followed by the apprehension of several Mopute traditional custodians following their protests against the mining activities. To safeguard mining operations against local communities, the Indonesian military has reportedly been deployed to Sulawesi in greater numbers in 2024 and reflects the increase in unrest since these operations have increased, particularly since 2023.[13] But this has brought with it violence as well as arrests, with the Indonesian Forum for Living Environment and Kontras Indonesia both reporting instances of violence against protests by local authorities.[14]

Future trends

Jakarta's support for mining companies means future clashes over mining and the environment will become more common. The growing demand for clean energy is fuelling the need for Indonesian nickel, which is proving to be a profitable revenue stream for the Indonesian Government. S&P Global, a US-based capital market analyst company, predicts that Indonesia is expected to supply 46 per cent of the world's nickel production by 2027.[15] With the backing of local and central governments, companies are working towards meeting the escalating demands and targets, showing little regard for the demands of the Indigenous peoples. Furthermore, there is a notable absence of

proper monitoring of illegal mining by the government authorities. While numerous conflicts arise from legal mining operations, the growing number of illegal mining sites further amplifies the likelihood of conflicts. Notably, some of these illegal mines encroach upon Indigenous lands in Southeast Sulawesi Province. Unfortunately, the lack of effective law enforcement measures hinders the efficient curbing of illegal mining activities. Consequently, conflicts arise, particularly in relation to the influx of migrant workers involved in illegal mining operations.[16]



After the 2024 presidential elections, focus will now be directed to how Indonesia's newly elected leaders will harness the country's growing mining sector (Australia Institute for International Affairs, 2024)

The lack of attention to Indigenous rights in support for the unsustainable mining activities poses a problem for the Indigenous community members. This is because the conflicts resulting from the mining activities not only creates casualties. The exacerbated conflict would lead to the displacement of the Indigenous community, which will most likely increase their poverty rate. In Sulawesi, Indigenous people whose villages has been impacted by mining will move somewhere else.[17] Their displacement will result in systemic poverty among the Indigenous community members. Hence the need for every relevant stakeholder to implement immediate resolution. Furthermore, there has been an increasing number of Indigenous leaders apprehended by the authorities in 2024.[18] This means that their family is losing the breadwinners of the family, which could further complicate their situation.

Conclusion

The downstreaming policy's implementation has led to a surge in criminalization incidents involving Indigenous populations in Southeast Sulawesi Province. The establishment of new mining areas has disregarded local boundaries, resulting in an increase in instances of opposition. Alongside the criminalization, there has been a rise in conflicts between Indigenous communities and mining personnel. The data indicates a yearly rise in these occurrences. The government's explicit support of mining corporations is a significant factor contributing to the expected escalation of conflicts among the Indigenous communities. The growing demand for resources needs to be met with a legal solution that emphasizes peaceful solutions between the government, mining companies and Indigenous people and should focus on resolving land acquisition disputes in indigenous territories.

- There should be legal requirements for the mining companies to strictly adhere to implementing environmental impact assessments. This solution of enforcing EIA's can serve as a mutually beneficial solution to address environmental concerns while respecting the rights of indigenous communities.

Policy recommendations

- Enhancing the role of local civil society organisations in supporting Indigenous communities is important. These groups play a crucial role in providing legal aid to Indigenous individuals to ensure positive outcomes and resolution through court. This can be accomplished by offering capacity building opportunities for legal professionals or local civil society groups interested in Indigenous Rights.
- The government needs to engage more in peaceful talks with the indigenous leaders to find peaceful solutions. Violent conflict arises from the lack of dialogues between the government, mining companies, and the indigenous communities and it is the role of the government to ensure there is no violence.

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The Peace & Security Monitor is produced by the Platform for Peace and Humanity

The Peace & Security Monitor
The Indo-Pacific
Issue 1
June 2024

Platform for Peace and Humanity
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www.peacehumanity.org

